

SENATE BILL 309

By Finney R.

AN ACT to amend Tennessee Code Annotated, Title 63
and Title 68, relative to patient medical records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 3, is amended by adding the following as a new section:

68-11-312. It is declared to be the public policy of the state that Tennessee hospital purposes can only be fulfilled by hospitals having complete access to all health care providers who make or review entries in hospital patient medical records. There is no implied covenant of confidentiality nor any other prohibition or restriction between a health care provider and a patient which prevents or restricts a health care provider from communicating with a hospital or providing information in response to a hospital inquiry or request with regard to any entry made or reviewed by the health care provider in any hospital medical record. Entry shall include, but not be limited to, patient history, physical, order, note, test request and result, consultation, treatment or other information recorded in a hospital patient medical record. The provisions of this section shall not be construed to authorize any disclosure of information that would be prohibited pursuant to the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.